



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

COPY OF PAPERS  
ORIGINALLY FILED

#19  
91002  
SEP 0 2002  
TECH CENTER 1100/1900  
RECEIVED

Inventor Application of:

David D. Mundschenk

Serial No.: 09/240,455

Filed: 29 January 1999

For: BUCCAL DELIVERY SYSTEM

)  
) Attorney Docket: 15050.5.0  
)  
) Group Art Unit: 1615  
)  
) Examiner: Todd Ware  
)

I hereby certify that this correspondence is being:

To: Commissioner for Patents  
Box RCE  
Washington, DC 20231

- ☒ deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231  
☐ facsimile transmitted to the Patent and Trademark Office  
☐ hand delivered to the Patent and Trademark Office

on this 27 day of August, 2002

By Madely E. Thonry

PRELIMINARY AMENDMENT

This Amendment is filed in response to the Final Office Action mailed March 27, 2002, the period for response to which has been extended to August 27, 2002 by the accompanying Petition For Extension of Time, and together with the enclosed Request for Continued Examination (RCE).

Remarks

Claims 1 and 3-69 are pending.

The rejection of claims 1, 3-4, 9-50 and 52-69 under Section 103(a) is respectfully traversed. Mundschenk '407 is cited for its teaching of the preparation of inactivated bioactive peptides, while Heiber et al. is cited as teaching "buccally administered peptides", and Dondeti et al. and Siegel et al. are cited, essentially, for their inclusion of benzalkonium chloride in delivery compositions (though in each case as "preservatives").

None of the cited references, however, either alone or in suitable combination, teach or suggest the use of a quaternary ammonium salt (such as benzalkonium chloride) to *itself* provide effective permeation of an *inactivated bioactive peptide* into a mucosal surface, and particularly into a mucosal surface of the mouth.